IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS

GREGORY L. TURNER,)
Plaintiff,))
v.) CAUSE NO. 08-CV-359-WDS
HOME PHARMACY SERVICES, LLC,)
Defendant.)
	ORDER

STIEHL, District Judge:

This matter is before the Court for docket control. On October 29, 2008, the Court entered a notice of impending dismissal for failure to serve defendant Home Pharmacy Services, LLC (Doc. 4). In response, plaintiff, who is proceeding pro se, filed an affidavit of service (Doc. 5), which provided that he "mailed/delivered" a copy of the complaint to the defendant. Rule 4 of the Federal Rules of Civil Procedure, provides the methods by which service of process is to be completed. In particular, plaintiff must serve a summons together with a copy of the complaint (Rule 4(c)(1)) within 120 days (Rule 4(m)). Plaintiff may serve the defendant in person (Rule 4 (c)(2) and 4(c)(3); Rule 4(e)) or by mail, requesting a waiver of service (Rule 4(d)).

Although the plaintiff indicates that he served the defendant, it is not clear, from the record, that plaintiff complied with the requirements of service under the Federal Rules.

Accordingly, the Court hereby sua sponte **DISMISSES** this cause of action without prejudice for failure to properly effectuate service.

IT IS SO ORDERED.

DATED: December 1, 2008.

s/ WILLIAM D. STIEHL
DISTRICT JUDGE